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IN THE CIRCUIT COURT OF HANOVER COUNTY

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HANOVER CIRCUIT COURT

WOJTEK PANAS, as Father and Next Friend
of JACOB PANAS, a Minor,

Plaintiff,

v.

Case No: *CL22002478-00*

CEDAR FAIR SOTHWEST, INC.,
One Cedar Point Drive
Sandusky, Ohio 44870,

Defendant.

COMPLAINT

YOUR PLAINTIFF, WOJTEK PANAS, ASSERTS:

1. That, upon information and belief, the defendant is a foreign corporation that was on June 25, 2022 authorized to conduct business in the Commonwealth of Virginia that was on that date conducting business in Virginia.

2. That, upon information and belief, on June 25, 2022 the defendant was the owner and occupier of the Kings Dominion amusement park located at 16000 Theme Park Way, Dosell, Virginia in Hanover County, Virginia.

3. That on June 25, 2022 Jacob Panas was an invitee of the defendant as a customer at the Kings Dominion amusement park and was a passenger on the Racer 75 wooden racing roller coaster.

4. That at the aforesaid time and place Jacob Panas was injured when he was struck in the face by a foreign object the nature of which is at this time not known but believed to be a either piece of the superstructure of the ride or a piece of the vehicle in which he was a passenger over which he had no control.

EXHIBIT

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5. That, as the owner and occupier of the commercial property identified above at the time and place referenced above, the defendant owed to Jacob Panas a legal duty to have assured that the premises were in a reasonably safe condition for his use and to have warned him of a dangerous or potentially dangerous condition on the premises that was neither open nor obvious to him of which he was unaware of which its employees and/or agents acting within the scope of their employment or agency were aware or which in the exercise of due care in the circumstances presented they should have been aware.

6. That the incident described above and Jacob Panas' resultant personal injuries and other consequential damages were proximately caused by, among other negligent actions and/or omissions by the defendant's employees and/or agents acting within the scope of their employment or agency with it that may become known as discovery progresses herein, their breach of the duties that they owed to him in the circumstances presented by their creation of a dangerous or potentially dangerous condition on the premises, by their failure to exercise the degree of care required of them in their maintenance of the premises so that it was in a reasonably safe condition for those persons properly thereon, by their failure to identify and to remedy a dangerous or potentially dangerous condition on the premises of which they were aware or which in the exercise of due care they should have been aware, and in their failure to have warned him of a dangerous or potentially dangerous condition of which they were aware or of which they should have been aware of which he was not aware and that was neither open nor obvious to him.

7. That, as a direct and proximate result of the negligence of the defendant s employees and/or agents acting within the scope of their employment or agency with it for which it is liable to Jacob Panas pursuant to the legal theory of **respondeat superior**, he sustained damages for which the law entitles him to compensation. Among these, but not limited to them,

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are severe personal injuries, pain, suffering, mental anguish, inconvenience, discomfort, disfigurement, medical bills, a loss of future wage earning capacity, and temporary and permanent physical and mental impairment and disability.

WHEREFORE, the plaintiff, Wojtek Panas, as Father and Next Friend of Jacob Panas, a Minor, respectfully requests the entry of a verdict and judgment on his behalf against the defendant for compensatory damages in the full and just amount of TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00), plus pre and post judgment interest and costs, as allowed by law.

Wojtek Panas
By counsel

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